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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/690,236 | 10/21/2003 | Matthias Helmstetter | TRW(ASG)6800 | 4934 |
| 26294 | 7590 | 11/06/2006 | EXAMINER | |
| TAROLLI, SUNDHEIM, COVELL & TUMMINO L.L.P. 1300 EAST NINTH STREET, SUITE 1700 CLEVEVLAND, OH 44114 | | | GOODEN JR, BARRY J | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3616 | |

DATE MAILED: 11/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/690,236

Applicant(s)

HELMSTETTER, MATTHIAS

Examiner

Barry J. Gooden Jr.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2006 (Amendment).
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11 is/are allowed.
- 6) ☒ Claim(s) 3-5,7-10 and 12-15 is/are rejected.
- 7) ☒ Claim(s) 6 and 16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to the amendment filed 8/21/06. Currently claims 1 and 2 are cancelled; claims 3, 4, 8, 9, 11 and 12 are amended; and claims 13-16 are new.

Claim Rejections - 35 USC § 102

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 3, 5, and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Schütz, US Patent 6,688,638.

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

In regards to claims 3, 5 and 7, Schütz clearly shows a gasbag module (12) comprised of a gas generator (24) and a generator carrier (22) to which a gas generator (24) is fastened. The generator carrier (22) having a base section (23) with detent elements (30) via which the generator carrier (22) and indirectly the gas generator (24) are fastened to the steering wheel (10, 14, 16, 18, and 20). The carrier (22) and detent elements (30) consisting at least partially of a multiple-component plastic (32 and 42) where the multiple-component plastic consists of a carrier material (32) and a coating (42) (As seen in column 3, lines 52-60). The generator carrier (22) comprised of a cup-shaped (22; column 2, line 30) construction with a depression, having a base (23), wherein the gas generator (24) is arranged (Figure 1). The depression having an edge with at least one section formed thereon so as to project laterally (Reference is made to Figure 1 above the spring elements (56)).

Examiner notes that the detent elements (30) and carrier (22) of Schütz in an embodiment may both consist of plastic and be integrally attached to one another (Column 3, Lines 58-61), therefore the carrier (22) consists of multiple-component plastic as it is integrally formed with the detent elements (30).

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Examiner also notes that the holding surface (42) of Schütz is utilized to prevent the gasbag module from rattling and causing disturbing noises whilst traveling (Column 3, Lines 20-26). As such the pin (32) of Schütz, although of plastic, would still necessitate a holding surface of a material designed to limit rattling and noise, this would require a much less rigid plastic than that required for a pin of a detent element. In addition, Schütz does not disclose or show the holding surface (42) being eliminated from the pin (32) when making the pin (32) of plastic, as such the plastic pin (32) shown (Reference is made to Figures 2a and 2b) would still indicate, to one of ordinary skill in the art, that the holding surface (42) is still required. Therefore Schütz discloses all of the claimed elements, including multiple-component plastic detent elements.

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
5. Claims 4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schütz, US Patent 6,688,638, in view of Worrell et al., US Patent 5,380,037.

The applied reference (Schütz) has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(I)(1) and § 706.02(I)(2).

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In regards to claims 4 and 8, Schütz discloses all of the claimed elements except for the projecting section consisting of a multiple-component plastic.

Worrell et al. teaches the use of a multiple-component plastic (18, 20). It would have been obvious to modify the apparatus as disclosed by Schütz to include a multiple-component plastic as taught by Worrell et al. so as to increase the outward appearance and feel.

6. Claims 9 and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adomeit et al., US Publication 2001/0052689.

In regards to claims 9 and 12-14, Adomeit et al. discloses all of the claimed elements including a vehicle steering wheel (1) with a gas bag module (4) comprising a gas generator (7) and a generator carrier (bottom portion of 5), to which said gas generator (7) is to be fastened directly or indirectly to a vehicle steering wheel (1), said generator carrier (bottom portion of 5) consisting at least partially of a multiple-component plastic (Paragraph 0049), said multiple-component plastic defining different layers of said generator carrier (bottom portion of 5) (Paragraph 0049), said generator carrier (bottom portion of 5) having a cup-shaped construction with a depression in which said gas generator (7) is arranged, and at least one projecting section (top portion of 5 disposed exterior to the depression) being formed on an edge of said depression, said projecting section forms a part of a surface of said steering wheel (1) which is visible from the exterior, said projecting section consists of a multiple-component plastic (Reference is made to Figure 1 and Paragraph 0049); and

a covering cap (top portion of 5 disposed above the depression) being provided;
wherein said cover covers only said depression.

Adomeit et al. discloses all of the claimed elements excluding the covering cap being a separate piece. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the covering cap as a separate piece, since it has been held that constructing a formerly integral structure in various elements involves only routine skill in the art.

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7. Claims 10 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adomeit et al., US Publication 2001/0052689, in view of Schütz, US Patent 6,688,638 B2.

The applied reference (Schütz) has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(I)(1) and § 706.02(I)(2).

In regards to claim 10 and 15, Adomeit et al. teaches all of the claimed elements as disclosed above (office action item 6), excluding the module being mounted so as to move in the axial direction.

Schütz teaches of a module mounted so as to move in the axial direction.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the module of Adomeit et al in view of the teachings of Schütz to include being movable in the axial direction so as to allow a horn to be actuated when the module is displaced axially and thus provide increased functionality and integration.

Response to Amendment

8. Applicant's arguments filed 8/21/06 have been fully considered but they are not persuasive.

In regards to the assertion that by providing a plastic pin 32 with an insulation 42 electrical contact between spring wire 52 and pin 32 would be prevented, applicant is incorrect. The insulation (42) is provided (Reference is made to Figure 2a) and a metallization is provided on an alternate surface (40).

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The metallization provides the conductive surface and therefore the circuit may be completed as disclosed. Thus the structure as provided for by Schütz meets the claimed structural limitations.

As such, the pin consists of a multi-component plastic. In addition, because the pin is integrally attached to the carrier, the carrier consists of multi-component plastic. Examiner never asserted that the pin was of a different plastic than the carrier.

In regards to claim 8, applicant asserts that an outward appearance and feel is a speculative reason for combining the structure of Schütz and Worrell, examiner maintains the rejection is proper as the appearance and feel of a steering wheel are ergonomic factors that would increase the utility, function and appearance of the product. In addition the teaching was related to the material utilized not the specific structural relationship of the parts. Worrell teaches a multi-component plastic cover, this teaching of a multi-component plastic cover, not the specific cover structure, was applied to Schütz.

9. In regards to claim 6, applicant's arguments, see amendment, filed 8/21/06, with respect to claim 6 have been fully considered and are persuasive. The rejection of claim 6, Schütz in view of Fischer, has been withdrawn.

Allowable Subject Matter

10. Claims 6 and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. Claim 11 is allowed.

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH

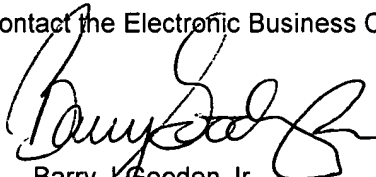
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shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry J. Gooden Jr. whose telephone number is (571) 272-5135. The examiner can normally be reached on Monday-Friday 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on (571) 272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 10/31/06
Barry J. Gooden Jr.
Examiner
Art Unit 3616

BJG


ERIC CULBRETH
PRIMARY EXAMINER 11/1/06